

efficacious as a palliative for local irritations of nose and throat associated with coughs, colds, asthma, and bronchitis; that for sinus and hay fever it should be diluted with water and used as a nasal spray and should be taken internally 1 or 2 teaspoonfuls one-half hour before meals and before retiring; that in stomach ulcers where a soft bland diet would be prescribed it should be used as a special-purpose food; that it was efficacious for asthma, bronchitis, coughs, colds, asthmatic cough, cough resulting from bronchial pneumonia, sinus conditions, positive ulcer, stomach distress, and lack of strength and pep, which representations in the labeling were false and misleading since the article was not efficacious for the purposes recommended.

On March 4, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered to be turned over to a hospital for food purposes only. On March 12, 1940 this order was vacated and the product was ordered destroyed.

MINERAL WATERS

205. Misbranding of Shivar Spring Water. U. S. v. 39 Carboys of Shivar Spring Water. Default decree of condemnation and destruction. (F. D. C. No. 1253. Sample No. 87460-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On January 3, 1940, the United States attorney for the Western District of North Carolina filed a libel against 39 carboys of Shivar Spring Water at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about November 24, 1939, by Shivar Springs, Inc., from Shelton, S. C.; and charging that it was misbranded.

Analysis showed that the article was a slightly mineralized, slightly alkaline water containing less than one-half of 1 percent of inorganic salts consisting mainly of calcium and sodium sulfates, chlorides, and bicarbonates.

The article was alleged to be misbranded in that its labeling bore representations that two or three glasses (a pint or more) of the article taken in the morning at least 30 minutes before breakfast would dissolve and wash away any catarrhal mucus, would cleanse the stomach and bowel and prepare them for food and would also flush the kidneys, help to wash out impurities of the blood which may have accumulated during the night and cleanse and refresh the system; that a glass with each meal sipped slowly as one ate would aid poor appetite and poor stomach; that patrons had reported special benefits, in cases of dyspepsia and indigestion, from drinking the water hot before meals, that the heat would stimulate the stomach and the alkaline water would dissolve and wash away the catarrhal mucus; that in cases of functional disorder of the kidneys and bladder it might be found necessary, temporarily, to use the water less frequently than recommended; that the article was mildly laxative but in cases of obstinate constipation a teaspoonful of Rochelle salts dissolved in a glass of the water should be taken 30 minutes before breakfast and repeated every second or third morning as necessary until the bowels act regularly, which representations were false and misleading since the article was not efficacious for the purposes for which it was recommended in the said statements.

On February 8, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

206. Misbranding of Robinson Spring Water. U. S. v. 92 Cases and 43 Cases of Robinson Spring Water. Decrees of condemnation. On lot ordered released under bond to be relabeled. Remaining lot ordered destroyed. (F. D. C. Nos. 512, 513. Sample Nos. 54577-D, 66050-D.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On August 26 and 30, 1939, the United States attorneys for the Eastern District of Michigan and the Southern District of Florida filed libels against 92 cases of Robinson Spring Water at Detroit, Mich., and 43 cases of the same product at Miami, Fla., alleging that the article had been shipped in interstate commerce on or about July 26 and August 2, 1939, by the Robinson Spring Water Co. from Jackson, Miss.; and charging that it was misbranded.

Analyses showed that the article was a lightly mineralized water, the mineral matter of which consisted chiefly of common salt (sodium chloride), Glauber's salt (sodium sulfate), gypsum (calcium sulfate), and Epsom salt (magnesium sulfate). It contained less dissolved mineral matter than the water supply of a number of cities in this country.